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## SENATE TO REFUSE TO INVESTIGATE

Committee Decides Chesterfield People Did Not Make Prima Facie Case.

With a letter before it from J. D. Eggleston, Jr., Superintendent of Education, in which he said he welcomed any investigation which the facts seemed to justify, the Senate Committee on Public Institutions and Education yesterday afternoon reported the House joint resolution providing for investigation of the department with a recommendation that the Senate refuse to concur in it. This, it is expected, will end the matter. There was little or no debate, and it is understood that the committee's action was practically unanimous.

In his letter, Superintendent Eggleston replied in detail to the somewhat confused charges presented by Chesterfield citizens at the recent public hearing. He says that his department had nothing to do with some of the matters with which it was charged, and had no means of knowledge concerning them.

While a Chesterfield man, during the hearing, asked in what Mr. Eggleston considered an offensive manner, if the superintendent desired an investigation, he did not wish considering that this was a matter for the committee to inquire into. As the committee did not see fit to make such an inquiry, he wrote courting an investigation.

Replies to His Critics.

The letter follows:  
Richmond, Va., February 20, 1912.  
Hon. George T. Carter, Chairman Senate Committee on Public Institutions and Education, Richmond, Va.

My Dear Sir:—To prevent any one interested or disinterested, friendly or unfriendly, from misunderstanding the position of the department, I am present in writing a brief resume of my answer to the complaint of Messrs. Davis, Lambert, Kipps, Bensley and Bellwood, citizens of Chesterfield county, before your committee.

To the charge that county superintendents have neglected to give and change their annual reports after they have been filed in the office of the State Superintendent of Schools as public records, I replied that the department corrected errors whenever they were discovered by the officials of the department or reported by a division superintendent, keeping in every instance a full record of the proceedings. I showed that we had adopted a scheme which enabled us to make these corrections without even changing the face of the original record.

Seeing that such a charge was ridiculous when it came to meeting the facts face to face, the complainants shifted their position and asserted that the department had not "altered and changed" the reports to a sufficient extent. The department, in its annual reports of the various districts, reports of receipts and disbursements of public funds, as provided by law, was answered by the statement that this is a matter over which the department has absolutely no control.

The charge that the department had collected various sums of money deposited and checked out by district clerks and trustees, in violation of the law, which says that all money shall be paid out by and through the county treasurer, the money being deposited to the credit of school trustees in banks and checked out by them, was

answered by the statement that this was a local matter, concerning which the department had no knowledge or means of knowledge. The answer of the local school officials showed that all of the money had been properly accounted for.

**Publishing Blank Forms.**  
The report that the clerks of the school districts were not furnished by the superintendent of schools to keep proper books and records, according to law, was answered, so far as the department of Public Instruction was concerned, by showing the work and answer of the department in supplying, free of cost, proper account books, record books and blank forms for this very purpose.

The charge that the department has not required the county superintendent of schools to file his annual report in time required by law, was answered by the statement that the State Board of Education and by showing that the department did insist upon this requirement, and had always taken reasonable measures to enforce the same.

The charge that the superintendent of schools had discriminated in the apportionment of school funds in favor of Bermuda District, which was given more than one-third (1-3) of all the funds apportioned to the county, was answered by the statement that the superintendency of a school district was placed by law entirely in the hands of the division superintendent.

It is worthy of mention that the attention of the department had been called to the alleged discrimination in favor of Bermuda District for one year, but upon investigation it was found that the apportionment had been properly made. No other specific instance of any alleged discrimination has been reported to me.

**County Not Known.**  
The charge that Bermuda District was permitted to issue school warrants amounting to more than \$6,000, while there was only \$3,332 to its credit in the hands of the treasurer, was answered by the statement that this was a local matter, concerning which the department had no knowledge and no means of knowledge.

The charge that certain school funds and other negotiable collateral were held by the clerk of Bermuda District and not deposited with the county treasurer until December 28, 1911, was answered by the statement that the clerk of the district was not permitted to hold such funds and other negotiable collateral until the middle of December, 1911, and were turned over to the treasurer as promptly as possible.

The additional charge, which was not stated in the written complaint filed by these citizens, to the effect that the State Board of Education had loaned more money to Manchester District than to any other district, was answered by the statement that the money was loaned on a mortgage on a building and lot which the county does not own, was answered by presenting the record in case, which showed that the building was in perfect form, that the title to the property was approved by the Attorney-General, and that the amount of the loan was justified by the facts stated in the application. It was pointed out that the statute does not authorize or provide for a mortgage on the property on which a school building is erected, but does give the literary fund a far better lien, to-wit, a lien on the fund of the school district. The loan was repaid in this case. One-half of it has been repaid. The payments on the loan have been met and will continue to be with perfect regularity, and the literary fund cannot possibly suffer any loss.

The facts in this case may seem to justify, and certainly can have no fear, so far as the work of the Department of Public Instruction is concerned, to welcome any investigation that the facts in this case may seem to justify, and certainly can have no fear, so far as the work of the Department of Public Instruction is concerned.

**Local People Settle.**  
In a system comprising over 10,000 schools and more than 400,000 children of all sorts, conditions and nationalities, many complaints must arise. The law refers the settlement of these complaints to local officials almost entirely. In this way misunderstandings may be settled speedily and amicably. From information received at first hand, this it is that discipline and proper respect for school officials and teachers may be maintained.

The settlement of local school accounts has also been placed by law in the hands of the local school boards and courts, and there it will have to remain in respect to such irregularities in Chesterfield county as are brought forward by these complainants until some provision of auditing accounts by employing traveling auditors is introduced. This is an old question in Virginia. I submit that the Department of Public Instruction, even if it had the force to do the work, cannot be blamed for not venturing into a field where permission has been specifically refused to every State department.

The facts in this case, as presented to me, show irregularities in the management of school matters in Chesterfield county which were the innocent acts of some of the most patriotic citizens of the county. They thought they were acting for the best interests of the schools, and not a dollar

## LEGISLATIVE COMMENT

By LEWIS H. MACHEN

### NEW TAX COMMISSION BILL—II.

In this column yesterday it was pointed out that the bill which the Finance Committee of the House reported as a substitute for House bill No. 25, known as the Byrd tax commission bill, provides for a tax rate board, composed of the tax commissioner, the Governor, the Auditor of Public Accounts and the State Treasurer, who are to have the power to fix the tax rate on personal property as well as that on lands.

It has long been understood that if assessments were made in accordance with law there would be no occasion for so high a rate as that now prevailing, and it has further been recognized that the two things which would be most instrumental in bringing investments into the State would be a more nearly equal, even though a higher, assessment and a lower tax rate.

A thing to be avoided is increasing the aggregate of taxes in the process of equalizing the assessments. The point to be attained is the automatic lowering of the rate when the assessments are raised to a higher level.

The manner in which the new bill proposes to bring about this condition is worthy of attention. As to personal property the board is to determine the aggregate value of personal property, including that of corporations, (1) a sum, the taxes on which will be sufficient to cover the average delinquent taxes on personal property, as shown by the property tax on personal property, (2) a sum equal to the average annual increase in the valuation of personal property, as shown, (3) a sum equal to the average annual increase in the valuation of the personal property of the corporation, as shown.

The aggregate valuation then remaining, in excess of the valuation for the preceding year, shall not be subject to taxation, but shall be employed in a reduction of the State tax rate on personal property, which rate shall proportionately be as much less than the present rate of 35 cents on the hundred dollars' valuation, as the amount of such remaining aggregate valuation is less than the aggregate valuation for the preceding year. This valuation the board is to certify to the Governor, who must promulgate it not later than November 1st of the following year.

The revenue from the taxes collected in this manner is to be divided on the same relative proportions as at present, for the support of the public schools and for the payment of pensions.

has been lost by any act of theirs. I am also informed that the late treasurer is able, willing and anxious to account for and pay over every dollar that has come into his hands, and will do so as soon as his representative making checking the work of the expert accountants.

(Signed) J. D. EGGLESTON, JR.

## WOMAN'S COLLEGE WAS NOT PRESSED

(Continued from First Page.)

cluded his discussion when the prohibition bill special order was entered upon.

Senator Folkes entered a protest, which was spread on the Journal against the report on the Moncure bill, which was passed by the committee for Courts of Justice. He contended that the matter had already been settled once at this session, when a bill similar in intent but not in amount, was defeated on a parliamentary ruling. Fifteen Senators voted to put the protest in the Journal.

The rest of the day in the Senate, aside from the woman's college debate, was given over to discussion of the Norfolk water supply bill. Senator West's objections to the Suffolk Water Board's plan to divert water from the river to the city of Norfolk were satisfied, and the bill was passed.

A bill prohibiting the use of trading stamps in this State was reported favorably by the House Committee on General Laws.

pensions.

The tax rate on real estate and improvements is to be arrived at by dividing their aggregate value, including that of corporations, (1) a sum, the taxes on which shall be sufficient to cover the average delinquent taxes on real estate and improvements, as shown on the land books for the preceding four years; (2) a sum equal to the average annual increase in the valuation of lands and improvements for a like period; and (3) a sum equal to the average annual increase in the value of the real estate of corporations now assessed by the Corporation Commission for a like period.

The rate is to be certified by the board to the Governor, promulgated by him, and employed by the collecting officers in extending taxes, in like manner as the rate in personal property, and the revenue divided in the same relative proportions as at present, for the support of the public free schools, and for the payment of pensions.

Whether this plan, which must appear somewhat complex to those who are not conversant with the Finance Committee, will attain the end in view is a question which will probably be the subject of sharp debate. At first blush, it would appear that too many allowances have been made, and that the result might be a short-coming in revenue. There is no doubt that even an approximate equalization of assessments would result in a considerable increase in revenue, but in the present condition of the finances of the State that would be an evil very easily condoned. It might be better to tax all assessable property at the prevailing rate for at least two years and allow the next General Assembly to adjust the rate in accordance with the condition of the State.

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